REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 40-51 and 68-79 are pending in this application.

Claims 40-51 and 68-79 were rejected under 35 U.S.C. §102(b) as being anticipated by *Maruyama* (JP 11-187013). Applicants have amended claims 40, 68, and 73 to further clarify the "simplified tree structure" aspect of the present invention and, in particular, the "encrypted keys of the EKB" corresponding to the simplified tree structure.

The present claims now recite "the simplified tree structure being constructed from the hierarchical tree structure by selecting one or more paths between a top node and an end point node or a leaf of the hierarchical tree structure and not including one or more unnecessary nodes being in the selected one or more paths, such that the encrypted keys of the EKB do not include a key corresponding to the one or more unnecessary nodes in the selected one or more paths."

Exemplary "simplified tree structures", which are shown in Figure 26A and Figure 27A, may be compared with the "hierarchical tree structures" shown in Figures 24A and 25A. Referring to Figures 26B and 27B, these figures show how the enabling key block (EKB) of the simplified tree structure does not include keys for every node, i.e. unnecessary nodes in a path are not included. For example, for the simplified tree of FIG. 26A, nodes K00 and K000 in the path between end point node Ka and top node Kroot, and nodes K01 and K011 in the path between end point node Kg and top node Kroot, are not included in the tree, such that the encrypted keys of the EKB do not include keys corresponding to the nodes K00, K01, K000 and KO11.

Similarly, for the simplified tree of FIG. 27A, in the path between end point node Ka and top node Kroot, the nodes K0, K00 and K000 are not included in the tree, and in the path between the end point node Kg and the top node Kroot, nodes K0, K01 and K011 are not included in the tree, such that the encrypted keys of the EKB do not include keys corresponding to the nodes K0, K00, K01, K000 and KO11.

By contrast, the EKB for the hierarchical tree structure of Figure 25B includes a key for every node in the path between end point node Ka and top node Kroot, and every node in the path between the end point node Kg and the top node Kroot. (See specification, for example, at paragraph [0201]). In this manner, the simplified tree structure is used to specify a subset of keys for renewal in a selected path of the hierarchical tree structure. The simplified tree structure is described in the specification beginning at paragraph [0204].

Although *Maruyama* appears to disclose an analogous hierarchical tree structure, it does not disclose the "simplified tree structure" recited in the present claims. *Maruyama* appears to describe "updating and the redistribution of a key" for two "matched" end point nodes, by "summarizing of [the matched end point nodes] on the same possible branch" (emphasis added). (See paragraph [0021]). The redistribution of a key corresponding to a matched end point node, as per *Maruyama*, apparently transforms the "same possible branch" effectively to an end point node at which the two matched end nodes are grouped, such that the matched end nodes no longer constitute end nodes of respective paths. Thus, *Maruyama* appears to stop using certain nodes of a tree, by grouping them into a common (same) possible branch. Nowhere at the applied portions does *Maruyama* disclose that the "redistribution" of a key corresponding to a (matched) end point node is equivalent to "not including one or more unnecessary nodes" in a selected path

in the hierarchical tree, such that the encrypted keys of the EKB do not include a key corresponding to the one or more unnecessary nodes in the selected one or more paths, as required by the claimed invention.

Consequently, the simplified tree structure of *Maruyama* is not constructed by "not including one or more unnecessary nodes in" the selected paths between a top node and an end node, such that the encrypted keys of the EKB for the simplified tree structure do not include a key corresponding to the one or more unnecessary nodes in the selected one or more paths, as required by the claim invention.

Accordingly, *Maruyama* fails to anticipate the "simplified tree structure" and the present claims should now be allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

Dated: April 14, 2008

Respectfully submitted,

By _____
Davy E. Zoneraich
Registration No.: 37,267
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

862196_1.DOC